

## REMARKS

In response to the Office Action, it is noted that the claims in the case are claims 4, 42 to 66, and 77 to 91.

The Examiner has entered the amendments presented in the January 7, 2004 response. It is also noted that the Examiner has withdrawn the rejections of section 7 of Paper No. 1001.

Turning now to the rejection of claims 4, 42 to 66 and 77 to 91 based on 35 U.S.C. 112, first paragraph, the Examiner has rejected the claims on the basis that the specification is not enabling because, the Examiner states, "...the specification, while being enabling for a reinforcing polyvinyl alcohol fibril, does not reasonable provide enablement for "a reinforcing material" as a genus.

The applicant disagrees with the Examiner, in that, reference should be made to the examples. There are 28 examples. Within the 28 examples, there can be found 17 different reinforcing materials, namely, cotton gauze, knitted wool cloth, knitted acrylic fibers, carbon fibers, Vectra® fibers, woven silk fibers, polyvinyl alcohol fibrous cloth, long natural silk fibers, polyvinyl alcohol fiber cloth, short natural silk fibers, jute, linen cloth, polyvinyl fibers at 1.5 mm, polyvinyl alcohol filaments, Band aid® strips, and cellulose. This array of materials was also used within various formulations and structures of hydrogels. In the face of this evidence, it is believed that the Examiner's rejection is without foundation and should be withdrawn.

The Examiner has rejected claims 4, 42 to 66, and 77 to 91 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, stating that the claims are replete with vague and indefinite phrases that are not supported in the specification.

Applicant states that the Examiner is incorrect. What is required is that the applicant provide information with regard to these phrases, and the applicant maintains that if one reads the specification, it is replete with explanations and information that provides a good basis to fulfill these conditions. A thorough and complete reading of the examples further supports this requirement. The Examiner should withdraw this rejection.

With regard to the Examiners suggestion with regard to claim 42, lines 8 to 12 and elsewhere in the claims, the applicant is reluctant to make this change on the basis that it is required for the invention. A thorough reading of the specification makes it clear that one must be able to select from the two options, as it affects the end result. The reasons are explained throughout the specification and claims.

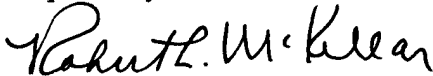
The Examiner has rejected the claims on the basis of the judicially created doctrine of double patenting. The applicant has enclosed a terminal disclaimer in compliance with 37 CFR 1.321(c) and a statement under 37 CFR 3.73. Graiver, U.S. Patent 5,336,551 is not applicable in this matter.

Applicant notes the prior art made of record and not relied upon.

On the basis of the above, the applicant respectfully requests that the Examiner withdraw the rejections and allow the claims to issue.

Applicant's attorney, Robert L. McKellar, expressly apologizes to the Examiner for overlooking the reference U.S. 6,608,117, and would note for the Examiner that the oversight was completely inadvertent.

Respectfully submitted,

A handwritten signature in cursive script that reads "Robert L. McKellar".

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